

HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

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WRIT PETITION NO: 21245 of 2007

Dated: 29-10-2007

Between:

Vuyyapu Hanmantha Rao

..... **PETIT**

AND

Government of Andhra Pradesh,
Rep., by its Secretary,
Revenue (LA) Department,
Secretariat, Hyderabad and 2 others.

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HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

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WRIT PETITION No. 21245 of 2007
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ORDER:

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This writ petition is filed for a writ of Mandamus to declare the inaction of respondent No.3 in complying the objections raised by the Senior Civil Judge, Peddapuram in Reference No.B21/2005, dated 07-06-2006 and for a direction to the respondents to comply with the objections and re-present the matter.

The petitioner's land to an extent of Ac.0.50 cents in Sy.No.52 of Jaggampeta village was acquired under Award No.2 dated 05-12-2005. Dissatisfied with the quantum of compensation awarded, the petitioner made a representation on 30-08-2005 to respondent No.3 for referring the dispute to the civil Court under Section 18 of the Land Acquisition Act, 1894 (for short 'the Act'). Evidently, respondent No.3 had referred the dispute as requested by the petitioner to the Court of Senior Civil Judge, Peddapuram. The plea of the petitioner is that the Court of Senior Civil Judge, on finding that there were defects in the reference, returned the same to respondent No.3 for rectifying the defects. As the petitioner came to know that respondent No.3 has not acted in terms of the notice given by the Court of Senior Civil Judge, Peddapuram, this writ petition has been filed.

Heard Sri V.Hanumantha Rao, learned counsel for the petitioner and the learned Assistant Government Pleader for Land Acquisition.

Though notice was given on 08-10-2007, so far neither a counter affidavit has been filed nor the learned Assistant Government Pleader has received any instructions. Since the issue involved in the writ petition is trivial in nature, namely compliance of the alleged defects by respondent No.3 for effective adjudication of the claim made by the petitioner and referring the matter to the civil Court, I deem it appropriate to dispose of the writ petition with a direction to respondent No.3 to rectify the defects, if any, pointed out by the Court of Senior Civil Judge, Peddapuram in proceedings B.21/2005 dated 07-06-2006 within a period of four weeks from the date of receipt of a copy of this order and ensure that the claim made by the petitioner under Section 18 of the Act is registered and adjudicated on merits by the civil Court. Ordered

accordingly. No costs.

C.V.NAGARJUNA REDDY,J

Date: 29-10-2007
KLP